

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case Nos. **14-C-739**
00-CR-242

WILLIE J. NEWTON, JR.,

Movant.

DECISION AND ORDER

This action is another unauthorized successive § 2255 motion filed by Willie Newton. *See* ECF No. 196, Case No. 00-CR-242. Thus, it must be dismissed for lack of jurisdiction. Even if the Court had jurisdiction, Newton's motion is untimely, and his citation to *Alleyne v. United States*, 113 S. Ct. 2151 (2013) is to no avail. *United States v. Miller*, 542 Fed. App'x 526, 528 (7th Cir. Nov. 15, 2013) ("to the extent that Miller's appellate brief might be construed as an application to file a second or successive 2255 motion premised on *Alleyne*, we DENY that application, since the Supreme Court has not made *Alleyne* retroactive to cases on collateral review").

This matter is **DISMISSED** for lack of jurisdiction. The Court will not issue a certificate of appealability.

Dated at Milwaukee, Wisconsin, this 5th day of August, 2014.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge